

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

In Re:

TOXIC EXPOSURE CASES (diesel fume  
exhaust and other alleged toxins) against  
UNION PACIFIC RAILROAD COMPANY,

Defendant.

**8:18CV385**

**8:18CV391**

**8:18CV415**

**8:18CV421**

**8:18CV484**

**8:18CV503**

**8:18CV540**

**ORDER**

Defendant, Union Pacific Railroad Company, has requested a telephone conference to discuss ongoing discovery disputes in the above-referenced matters. (See Attachment) The court has convened several similar conferences in recent months. During those conferences, I have warned Plaintiffs' counsel to appropriately and timely respond to discovery requests, and I have instructed counsel to implement processes and devote manpower so the Plaintiffs' discovery responses are timely served.

The court has been notified that for the above-identified cases, Plaintiff's counsel has again failed to timely serve discovery, indicating my prior warnings and instructions have not been effective in reducing the ongoing discovery-related issues in the Diesel Fume cases filed by Plaintiffs' counsel. As such, the court will not convene a pre-motion telephone conference to address the current discovery dispute. Instead,

IT IS ORDERED that Defendant is granted leave to file a motion to compel and request for sanctions, such motion to be filed on or before May 6, 2019.

April 25, 2019.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge